



Arizona Department of Transportation
Environmental & Enhancement Group

205 South Seventeenth Avenue Phoenix, Arizona 85007

October 18, 2004

To: NEPA Planners
EEG On-Call Consultants
Valley Transportation Group Contract Consultants
Statewide Project Management Contract Consultants

From: Environmental Technical Section
Environmental & Enhancement Group

RE: Delineation of Jurisdictional waters (JD) for Section 404 Permits
Required Submittal Items

ADOT EEG will submit to the US Army Corps of Engineers (Corps) all Jurisdiction Delineation Packages.

Maps:

- § Statewide map with project area circled.¹
- § Project vicinity map showing beginning and end points of project limits with mileposts marked.
- § If available, include a contour/topo &/or USGS map with each JD location identified on the map.

Aerial Photographs:

- § Acceptable Age: Aerial photos should be less than 5 years old and have a label specifying the date they were taken. – The Corps may request more recent aerials if current environmental context is not represented. If the aerial photos are older than 5 years, include a statement in the cover letter stating that although the aerials are not recent, it has been determined from a ground survey that the aerial photos still accurately depict waters of the U.S. Include the name of the person who conducted the survey; the person's firm/agency and the date the ground survey occurred.
- § Acceptable Scale Range: 1:100 or 1:200; specify scale on aerial. – Corps may request a different scale if current environmental context is not represented.

¹ Statewide & Vicinity Maps are used by Corps to see where the project is and how to get there.

Aerial Labels:

- § The Corps label should be used. The Corps will provide the date and the number. If additional detail is needed, include a label adjacent to, but separate from the Corps label. Place label(s) in the lower right-hand corner of the aerials.
- § Corps label must contain the following information:
 - Name of the project
 - TRACS number
 - Project number, if available
 - North arrow
 - Scale
 - Township/range/section
 - Manner in which boundary of area surveyed and other major features are depicted
 - Manner in which watercourses and flow directions are identified
 - Name and year of the USGS topographic map that corresponds to the aerial photo
 - Photo point direction

Content of Aerials:

- § Features such as dirt roads, jeep trails, or any other pertinent features that may be mistaken for a wash must be identified on the aerial photos.
- § On the aerial photo define the boundary of area surveyed, any prominent roads, **watercourses & flow direction**, and other major identification features.
- § The set of aerial photos should be clearly marked to show **ONLY** the boundary of area surveyed, wash numbers, and the proposed jurisdictional waters.²
- § Washes should be extended to the study boundary, as applicable. If wash meanders in and out of the boundary limit, demark wash continuously throughout.
- § Do **NOT** show any proposed new alignment, change to the existing alignment, proposed new R/W, etc.

Supporting the aerials:

- § Include a separate document listing: wash numbers, stations (00+00), milepost, size of structure (existing culvert/bridge) and relevant photograph numbers. The separate document must include the description of existing water conveyance features at each proposed activity location (at a minimum) [i.e., “box culvert at MP 38.5”; “two 60-inch corrugated metal pipes at MP 354”; “4-pier bridge at MP 124”]. This information should be provided in the form of a table when the project involves multiple wash crossings. Contact

² The need to show all waters of the US, within the project limits, on the aerials is to be determined on a case by case basis.

EEG planner if questions arise on the required descriptions of conveyance features.³

- § Provide an index map if project area covers more than one aerial photo.

On-ground photos:

- § Include current on-ground color photos at each JD location showing both upstream and downstream views, in color, show scour areas, vegetation, and soil conditions. A minimum of four (4) photos per crossing is required (one pair for each side).
- § Ensure that one of these photos is taken from the existing water conveyance structure looking towards R/W line and one of the photos taken from the R/W line looking toward the existing water conveyance structure (inside looking out & outside looking in).
- § Reference photos to the project's locations on aerials. **Note:** Do not take photos in which people are obstructing the view of the feature presented.
- § Place in photos, as necessary, a scale (i.e. ruler, measuring rod, etc.) and define the scale used.

Additional documentation:

- § For waters determined to be non-jurisdictional, include additional documentation. This may include information such as the physical characteristics of the water: e.g. differences in soil characteristics, the cross-sectional area of the water is less than 3-5 square feet, or other information that would support why a water is not jurisdictional.
- § Provide HEC-1 and HEC-2 or HEC-RAS analysis, if available, indicating the 2, 20, and 100-year events. For those locations where the total impact in waters of the US is less than ½ acre, HEC-1, HEC-2, and/or HEC-RAS analysis is normally not necessary.⁴
- § Any additional, pertinent information for clarification.
- § Include Table 1 & 2 (11x17). (See attachment)⁵

Initial Jurisdictional Delineation Review:

- § If JD is available in electronic format submit to EEG one set of aerial photos with the proposed JD identified,.
- § If the JD is not available in electronic form, and the project area is covered by less than 5 aerial photos – submit one set of aerials with the proposed JD identified and two unmarked sets of aerials
- § If five or more aerials are required blank copies are not to be submitted until after Corps approval of the initial submittal.
- § For larger projects, the EEG planner may organize a Pre-Jurisdictional Delineation meeting with the Corps to discuss strategy (both fieldwork and submittal format).

³ Include only the information necessary to make a determination of whether the water is jurisdictional.

⁴ Include a negative declaration if HEC analysis is not available.

⁵ Acceptable size of the attachments are 8 ½ x 11 &/or 11 x 17. This adequacy of size depends on readability of attachment. The Corps will reduce any attachment to 8 ½ by 11 for public notices.

Corps Submittals

- § For larger projects (greater than ten aerial photo sheets), the EEG planner will submit to the Corps for review, just one copy of the aerial photos with the proposed jurisdictional delineation identified. After the Corps review, two additional highlighted copies that include any edits requested by the Corps will be prepared and submitted. The Corps will then review the additional and /or revised sheets, and send EEG a signed copy of the approved JD. Additionally, for all submittals, the consultant must keep a highlighted copy for reference.
- § For normal size or small projects of less than ten aerial photo sheets, EEG requires one highlighted copy, and two un-highlighted copies. These remaining two sets should be identical to the first set, except for the highlighting and photo points.

Attachments:

- Corps label
- Table 1&2

Corps Label

SECTION 404 JURISDICTIONAL DELINEATION

U.S. Army Corps of Engineers, Los Angeles District

Application No. 2004-00781-CJL

-----Boundary of area surveyed for
jurisdictional waters of the United States

-----Ordinary High Water Mark

-----Waters of the United States

-----Wetlands (If legend is blank no
wetlands occur with survey area.)

____ Site Visit(Y/N) Date: June 12, 2005

____ Scale _____ Date of Photograph

____ LESTER Corps Project Manager

SECTION 404 JURISDICTIONAL DELINEATION

U.S. Army Corps of Engineers, Los Angeles District

Application No. 2004-00781-CJL

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jurisdictional waters of the United States

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